

CERTIFICATE OF MAILING
UNDER 37 CFR 1.8(a)

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October 28, 2004
HUESCHEN AND SAGE
Nathaniel R. Miland
Dated: *October 28, 2004*

Applicant : Toufic RENNO and Jean-Yves BONNEFOY
Serial No. : 09/913,772
Filed : September 24, 2001
Title : USE OF AN ENTERBACTERIUM OmpA PROTEIN
COMBINED WITH AN ANTIGEN, FOR GENERATING
AN ANTIVIRAL, ANTIPARASITIC OR ANTITUMOR
CYTOTOXIC RESPONSE
Art Unit : 1645
Examiner : Robert A. ZEMAN, Esq.

Honorable Commissioner of Patents and Trademarks
Alexandria, VA 22313

RESPONSE AND ELECTION UNDER 37 CFR § 1.111

Sir:

Responsive to the Office Action, a Restriction Requirement, dated September 30, 2004, the applicants elect, with traverse, to prosecute the invention of Group I, Claim(s) 44-57 and 60-67. It is the position of the Office that the special technical feature of the claims in Group I is the method of generating or increasing a cytotoxic T response against an infectious agent or tumor cell.

The Office may withdraw the non-elected subject matter without prejudice to their rejoinder during later examination and/or prosecution in a divisional application.

The Applicants respectfully submit that by merely withdrawing the non-elected subject matter pending notification of allowable subject matter, the Applicants distinctly and affirmatively identify subject matter which they assert, upon examination will be found a part of the claimed invention. The Applicants reassert their right to rejoin non-elected claims upon the identification of allowable subject matter.


* * * * *

Accordingly, entry of the present Election into the record of this application, and swift and favorable consideration of the instant application is respectfully solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By:


G. PATRICK SAGE, #37,710

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THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION, DEFICIENCY, OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 08,3220.